UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

AMBER VERSOSKY,

        Plaintiff,   Case No. 23-11061

v.

                                            HON. MARK A. GOLDSMITH

PAUL DUTRA,

        Defendant.

_____/

ORDER REGARDING JURISDICTION

This matter is presently before the Court on Plaintiff Amber Versosky's complaint (Dkt. 1). The complaint states that the Court has subject-matter jurisdiction based on diversity of citizenship. See Compl. ¶¶ 3–5. Under the diversity jurisdiction statute, 28 U.S.C. § 1332, federal district courts have jurisdiction over matters in which there is "complete diversity such that no plaintiff is a citizen of the same state as any defendant." V & M Star, LP v. Centimark Corp., 596 F.3d 354, 355 (6th Cir. 2010). In a diversity case, the party asserting jurisdiction—in this case, Plaintiff—bears the burden of establishing it. See Hertz Corp. v. Friend, 559 U.S. 77, 96 (2010).

To properly allege an individual's citizenship, a party must make allegations regarding the state in which that individual is domiciled—i.e., where the individual both (i) resides and (ii) intends to remain. Farmer v. Fisher, 386 F. App'x 554, 557 (6th Cir. 2010). Plaintiff makes allegations regarding where she and Defendant Paul Dutra reside, but she makes no allegations regarding where the parties intend to remain. See Compl. ¶¶ 1–2. Therefore, the Court cannot conclude that it has subject-matter jurisdiction over this action based on diversity of citizenship.

Plaintiff is ordered to file an amended complaint within 10 days of the date of entry of this

order setting forth proper jurisdictional allegations. If Plaintiff believes that the current allegations

are sufficient, she must file a memorandum explaining her position within the same 10-day period.

Failure to comply with this order will result in the dismissal of this case pursuant to Federal Rule

of Civil Procedure 12(h)(3) for lack of subject-matter jurisdiction.

       SO ORDERED.

Dated: May 12, 2023   s/Mark A. Goldsmith
       Detroit, Michigan   MARK A. GOLDSMITH
                                         United States District Judge